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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW & SUZANNE CO., INC.,)	
Plaintiff,)	
vs.)	07 cv 10613 (JGK) (MHD) (ECF Case)
AUSTRIAN AIRLINES, INTERLOGISTICA)	
LTD., AND EXPEDITORS)	RULE 26 INITIAL DISCLOSURE
INTERNATIONAL OF WASHINGTON,)	
INC.,)	
Defendants.)	
)	
)	
)	
)	
)	
)	

Defendant Austrian Airlines (Austrian), by and through its undersigned attorneys, as and for its Initial Disclosure pursuant to Fed. R. Civ. P. 26, states, upon information and belief, as follows:

(A) Individuals Likely to Have Discoverable Information.

1. Representatives of Austrian Airlines
c/o John F. Kennedy International Airport
Cargo Bldg. 75
Jamaica, N.Y. 11430
2. Representatives of Prometei OOD
136 Doiran Str.
5800 Plevan

Bulgaria
Tel: +359 64 846742

3. Representatives of Swissport Cargo Services
Bedfont Road
Stanwell, Staines, UK
Tel: +44 01 784 266024
4. Representatives of Interlogistica Ltd.
22 Sofia Str.
9000 Varna
Bulgaria
Tel: +359 52 632193
5. Representatives of Expeditors International of Washington, Inc.
245 Roger Avenue
Inwood, NY 11096
6. Representatives of Andrew & Suzanne Co., Inc.
570 Seventh Avenue
New York, NY 10018
7. Representatives of Kent Police
Headquarters
Sutton Road, Maidstone
Kent ME15 9BZ
United Kingdom
Tel: +44 01 622 690690

Present and former officers, directors, employees, representatives and/or agents of all parties.

Austrian has not completed its investigation of the facts underlying this lawsuit and expressly reserves the right to supplement this response. Austrian further reserves the right to call any witness at trial not listed herein but whom it determines through discovery and further investigation.

(B) Documents.

Austrian identifies the following documents or categories of documents currently within

its possession and control.¹

- Kent Police Crime Report No. HZ/010331/06
- Cargo Manifests A 49443 and A49441
- Notification of Freight Examination
- Incoming Flight Summary
- Austrian Air Waybills 257-4606 -6016 and 257-4606-6020
- Albenas Style Invoice dated Oct. 27, 2006
- Swissport Cargo Services Cargo Damage Report
- Various items of correspondence regarding loss claim
- Expeditors International Preliminary Notice of Claim
- International Consignment Note
- Manifest de Marchandises
- Document on Interlogistica letterhead dated Oct. 26, 2006
- Certificate of Insurance issued by Allianz Bulgaria for Prometei Ltd.
- Austrian Conditions of Carriage for Cargo other than Priority Cargo.

Copies of the above-described documents are annexed hereto as Exhibit "A".

Location of all listed documents is the office of
Harnik Wilker & Finkelstein LLP
645 Fifth Avenue 7th Floor
New York, NY 10022
(212) 599-7575

Austrian expressly reserves the right to supplement this response.

(C) **Computation of Damages.**

Not applicable.

(D) **Insurance Agreements.**

No relevant insurance agreements have been discovered to date. Austrian expressly reserves the right to supplement this response.

(E) **Experts.**

Austrian has not identified any experts to be used at trial, but reserves the right to do so.

¹ Document descriptions have been prepared by counsel for Rule 26 disclosure identification purposes only, and do not constitute any representation or admission as to the actual title, nature, contents or significance of the documents.

Austrian provides these disclosures without waiving or intending to waive and expressly reserving:

- a. Any questions as to competency, relevancy, materiality, privilege, right to a protective order for trade secrets or any other reasons as to admissibility into evidence of these responses and any documents produced herewith, or of their respective subject matters, in the trial of this action; and
- b. The right to object to the introduction and use of any documents produced herein, or their subject matter, at the time of trial of this Action.

Austrian reserves the right to amend, modify and/or supplement these disclosures at any time up to and including the time of trial, with or without notice, following receipt or discovery of new or additional information.

Dated: March 28, 2008
New York, NY

Harnik Wilker & Finkelstein LLP

By:



Ira A. Finkelstein (IF0827)

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AUSTRIAN AIRLINES, INTERLOGISTICA)
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07 cv 10613 (JGK) (MHD) (ECF Case)

AFFIDAVIT OF SERVICE

State of New York)
) ss.:
County of New York)

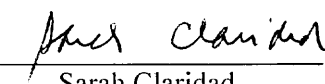
I, Sarah Claridad, being sworn, say:

I am not a party to the action, am over 18 years of age and reside at 1515 Lexington Avenue, New York, N.Y. 10029.

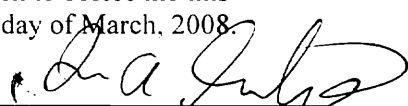
On the 28th of March, 2008, I serve the within Rule 26 Initial Disclosure by depositing a true copy thereof enclosed in a wrapper, into the custody Federal Express for overnight delivery, prior to the latest time designated by that service for overnight delivery, addressed to the following persons at the last known addresses set forth:

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(973) 424-2000

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Sarah Claridad

Sworn to before me this
28th day of March, 2008.


Notary Public, State of New York
No. 02FI6019526
Qualified in New York County
Commission Expires February 8, 2011